

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
04-CV-4266 (JMR/FLN)

Leo Parra)
)
)
v.) ORDER
)
W. I. LeBlanc, Jr.)

Petitioner objects to the Report and Recommendation, issued July 1, 2005, by the Honorable Franklin L. Noel, United States Magistrate Judge. The Magistrate recommended denying petitioner's writ of habeas corpus. Petitioner's objections to the Report were timely filed, pursuant to Local Rule 72.2(b).

Based upon a de novo review of the record herein, the Court adopts the Magistrate's Report and Recommendation [Docket No. 9]. Petitioner argues that the Bureau of Prisons has incorrectly calculated his good time credit. As stated in the report, the Eighth Circuit Court of Appeals has ruled on the issue of calculation of good time in such a fashion that precludes petitioner's theory of relief. James v. Outlaw, 126 Fed. Appx. 758 (8th Cir. 2005).

Accordingly, IT IS ORDERED that:

Petitioner's petition for a writ of habeas corpus [Docket No. 1] is denied.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: August 31st, 2005

s/ JAMES M. ROSENBAUM
JAMES M. ROSENBAUM
United States Chief District Judge